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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,166	03/26/2004	Binh T. Nguyen	IGT1P104/P-897	8341
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BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER KIM, ANDREW	
			ART UNIT	PAPER NUMBER
			3714	
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			01/25/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/810,166	Applicant(s) NGUYEN ET AL.	
	Examiner Andrew Kim	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

This office action is in response to the amendment filed on 11/13/07 in which:

- Response to claims rejection have been filed.
- Claim(s) 1-38 are pending.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-13, 17-22, 33-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Quest et al (EP 0738991).**

Claims 1, 22, 33, 38. A gaming machine adapted for accepting wagers and granting monetary awards, comprising:

a master gaming controller adapted to control game play and authorize payouts and other awards on said gaming machine (col. 1:54-58, col. 1:1-6);

one or more major components, wherein at least one of said one or more major components contains a plurality of peripheral devices and a first universal

communication interface, is adapted to be removable from said gaming machine, and is

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interchangeable with other similar major components also so adapted (col. 2:29-43);

and

a universal gaming engine, said universal gaming engine having at least one dedicated processing unit, at least one associated storage device and a second universal communication interface, wherein said universal gaming engine is adapted to control a substantial portion of said plurality of peripheral devices on said removable and interchangeable major component (col. 3:12-31, col. 6:5-31). The master gaming controller and the dedicated processing unit may be the same unit.

Claim 2. Quest discloses wherein said removable and interchangeable major component is adapted to detach from both said gaming machine and said universal gaming engine (col. 5:41-47).

Claim 3. Quest discloses wherein said universal gaming engine is adapted to remain attached to said gaming machine despite any detachment of said removable and interchangeable major component (col. 6:5-31).

Claim 4. Quest discloses wherein said removable and interchangeable major component and said universal gaming engine are adapted to detach from said gaming machine as a combined unit (col. 6:33-37).

Claim 5. Quest discloses wherein said removable and interchangeable major

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component is adapted to detach from said universal gaming engine (col. 6:33-37).

Claims 6, 34. Quest discloses wherein said removable and interchangeable major component comprises a top box (col. 6:5-32). The top box is simply a display panel with electrical display devices co-operable with the display panel (claim 1).

Claims 7, 35. Quest discloses wherein said universal gaming engine comprises a universal top box engine, said universal top box engine adapted to control a substantial portion of said plurality of peripheral devices on said top box (col. 6:5-32).

Claims 8, 36. Quest discloses wherein said removable and interchangeable major component comprises a main cabinet (col. 4:18-25).

Claim 9. Quest discloses wherein said universal gaming engine comprises a universal main cabinet engine, said universal main cabinet engine adapted to control a substantial portion of said plurality of peripheral devices on said main cabinet (col. 4:18-25, col. 6:5-32).

Claim 10. Quest discloses wherein said universal gaming engine is adapted to control a substantial portion of a plurality of peripheral devices on a main cabinet and a substantial portion of a plurality of peripheral devices on a top box (col. 4:18-25, col. 6:5-32).

Claim 11. Quest discloses wherein said universal gaming engine contains a power supply adapted to provide power to said removable and interchangeable major component (col. 3:36).

Claim 12. Quest discloses wherein said universal gaming engine comprises a communications buffer between said master gaming controller and a substantial portion of said plurality of peripheral devices on said removable and interchangeable major component (col. 6:15).

Claim 13. Quest discloses wherein said dedicated processing unit comprises a central processing unit residing on said universal gaming engine (col. 6:6).

Claim 17. Quest discloses wherein said plurality of peripheral devices comprises one or more devices selected from the group consisting of a video display unit, a speaker, an audio amplifier, a light, a touch screen, an input button, a coin acceptor, a bill acceptor, a ticket acceptor, a coin hopper, a coin dispenser, a ticket printer, a card reader and a mechanical motor (fig. 1).

Claim 18. Quest discloses wherein said first universal communication interface mates with said second universal communication interface (col. 6:12-32).

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Claim 19. Quest discloses wherein said second universal communication interface comprises a standardized layout of physical connections that is consistent across a plurality of other universal gaming engines (col. 6:12-32).

Claim 20. Quest discloses wherein said standardized layout of physical connections comprises a grid of ported connections (col. 6:12-32).

Claim 21. Quest discloses wherein said standardized layout of physical connections comprises a power connection adapted to provide power across a mating of universal communication interfaces (col. 6:12-32).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 14-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Quest et al. (EP 0738991 A2).**

Claims 14-16. Quest substantially discloses the invention as claimed but fails to explicitly teach an operating system code such as Windows or Linux that is approved for use in a gaming machine. Instead, Quest discloses a program card that contains program instructions for the game. It would have been obvious to one of ordinary skill in the art that this program card would contain instructions that operates on the operating system of the module and that the instruction code would be approved by a gaming commission and further that the operating system would be commonly used such as windows or linux because the aforementioned operating systems are common enough that finding programmers in those platforms are easier and cheaper than finding them in some obscure operating system and having the code approved by a gaming commission allows the program to be used on the casino floor which generates income. Therefore, it would have been obvious to one or ordinary skill in the art at the time of the instant invention to modify Quest with program code approved by a gaming jurisdiction and written for windows or linux platform to generate income and save money on production.

**Claims 23-32 rejected under 35 U.S.C. 103(a) as being unpatentable over Quest et al. (EP 0738991 A2) in view of Rowe (US 20020138594).**



Claims 23, 24. Quest substantially discloses the invention as claimed such as claim 1 but fails to explicitly teach at least one computer server in communication with the gaming machines. Instead, Quest discloses a gaming machine with replaceable panels and game cards. In an analogous gaming reference, Rowe discloses a server in communication with a plurality of gaming machines (Rowe, paragraphs 35-39). One of ordinary skill in the art would have seen the benefit of modifying Quest with a server in communication with a plurality of gaming machines for providing relationships between the game versions, game transaction information, site information and gaming terminal information and establish configurations for one or more gaming terminals. This allows the server to update and change the software on one or more gaming machines which enables fast, easy and cost-efficient method for changing the applications in the gaming machines. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Quest with a server in communication with a plurality of gaming terminals for easy, fast and cheap changing of programs on gaming terminals.

Claim 25. Quest discloses wherein said removable and interchangeable major component is adapted to detach from said first gaming machine, said universal gaming engine, or both (col. 5:41-47).

Claim 26. Quest discloses wherein said removable and interchangeable major component comprises a top box (col. 6:5-32). The top box is simply a display panel with

electrical display devices co-operable with the display panel (claim 1).

Claim 27. Quest discloses wherein said universal gaming engine comprises a universal top box engine, said universal top box engine adapted to control a substantial portion of said plurality of peripheral devices on said top box (col. 6:5-32).

Claim 28. Quest discloses wherein said removable and interchangeable major component comprises a main cabinet (col. 4:18-25).

Claim 29. Quest discloses wherein said universal gaming engine comprises a universal main cabinet engine, said universal main cabinet engine adapted to control a substantial portion of said plurality of peripheral devices on said main cabinet (col. 4:18-25, col. 6:5-32).

Claim 30. Quest discloses wherein said universal gaming engine is adapted to control a substantial portion of a plurality of peripheral devices on a main cabinet and a substantial portion of a plurality of peripheral devices on a top box of said first gaming machine (col. 4:18-25, col. 6:5-32).

Claim 31. Quest as modified by Rowe substantially discloses the invention as claimed but fails to explicitly teach an operating system code such as Windows or Linux that is approved for use in a gaming machine. Instead, Quest discloses a program card that

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contains program instructions for the game. It would have been obvious to one of ordinary skill in the art that this program card would contain instructions that operates on the operating system of the module and that the instruction code would be approved by a gaming commission and further that the operating system would be commonly used such as windows or linux because the aforementioned operating systems are common enough that finding programmers in those platforms are easier and cheaper than finding them in some obscure operating system and having the code approved by a gaming commission allows the program to be used on the casino floor which generates income. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Quest with program code approved by a gaming jurisdiction and written for windows or linux platform to generate income and save money on production.

Claim 32. Quest discloses wherein said first universal communication interface mates with said second universal communication interface, and wherein said second universal communication interface comprises a standardized layout of physical connections that is consistent across a plurality of other universal gaming engines (col. 6:15).

### ***Response to Arguments***

Applicant's arguments filed 11/13/07 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "does not include the recited gaming controller along with a **separate** dedicated processing unit") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "a removable display or removable control panel does not qualify as such a 'major component'") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Examiner respectfully requests where a top box and main cabinet are defined in the specification.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Kim whose telephone number is 571-272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AK 1/22/2008

  
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TC3700